

**Plato Academy Charter School  
Appeal for Modification of Service Start Date  
Form 486 Notification Letter for Funding Year 2015  
Appeal Date October 27, 2016**

**Appellant Name:** Kristin Sniecinski

**Applicant Name:** Plato Academy Charter School

**Applicant BEN:** 16036922

**Service Provider:** Bright House Networks, LLC

**SPIN:** 143016611

**Application Number:** 1049753

**FRN:** 2866838

**Form 486 #** 1177087

**Appealing:** "Service Start Date: 6/2/2016" and resulting funding commitment adjustment on Form 486 Notification Letter for Funding Year 2015.

Introduction

This is an appeal of the Service Start Date on the above Form 486 Notification Letter. The service start date was changed and the amount of funding was reduced because the school filed their Form 486 late.

Argument

The school does not argue with that fact that the 486 was filed outside the window. The school argues that it was out of their control. The staff person who was managing the E-Rate process for Plato Academy Charter School left during the 2015/2016 E-Rate funding year. When he left, the staff was assured that everything was in order and that all paperwork had been completed and all deadlines adhered to in order to secure the applicant's E-Rate funding and that no further action was required at that time. When the new staff member took over the E-Rate process for Plato Academy Charter School and reviewed their 2015/2016 E-Rate documentation, they realized that no 2015/2016 Form 486 had been submitted. As soon as this issue was discovered, the staff submitted the Form 486. The Plato Academy Charter School staff never received the FCC Form 486 Urgent Reminder Letter because it was addressed to the staff person who left so they weren't alerted to the fact that the Form 486 was late until the new staff member discovered the issue. In addition, we have not attached the Form 486 Notification Letter because the staff at Plato Academy Charter School has not received it. We believe it might also have been addressed to the old staff member since he was the 471 contact person.

The school doesn't argue that they missed the deadline but they do argue that there is no waste, fraud or abuse and ask that USAC reset the service start date to July 1, 2015 so that the school can collect the funds that have already been committed and that they have paid for in full.

We believe that this request follows the recent order, DA 16-1205, Requests for Waiver of Decisions of the Universal Service Administrator by Archdiocese of New Orleans, Louisiana et al., File Nos. SLD-894989, 922278 et al. where the FCC granted appeals for 69 applicants whose funding had been reduced as the result of late-filed Form 486s. This order states "In the interest of fairness, we will continue to apply the current Alaska Gateway Order-based standard to appeals filed with USAC or the Commission before January 30, 2017". It also states "We also direct USAC to grant any pending appeals or appeals filed before January 30, 2017 that meet the current Alaska Gateway Order-based standard."

We believe that this appeal meets the current Alaska Gateway Order-based standard and follows the precedent set by the Alaska Gateway School District Tok, AK, et al., File Nos. SLD-412028, et al. where the FCC granted 128 appeals of decisions by USAC reducing or denying funding from schools and libraries for various funding years because they did not timely file 486s. As with many of those cases, Plato Academy Charter School's "failure to timely file was the result of staff confusion or mistake, or circumstances beyond the applicant's control".

Just like in the cases in the above referenced Orders, Plato Academy Charter School missed a USAC procedural deadline but did not violate a Commission rule. Therefore, we do not believe that a complete rejection is warranted. We respectfully ask that you please grant this appeal and reset the service start date to July 1, 2015 for this FRN and reinstate the funding that was removed.

If you have any questions or need additional information please let me know.

Thank you for your consideration.



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To: USAC Schools and Libraries

This Letter of Authorization authorizes Robert Sniecinski, Benjamin Sniecinski, Kristin Sniecinski or other employees of E-Rate Advantage, LLC to perform the following E-Rate services for the school.

- 1 - File all necessary E-Rate applications, including the 470, 471 and 486 applications as well as all other applications related to the application, certification, approval and reimbursement process.
- 2 - Respond to any requests for additional information from USAC/SLD regarding the school's E-Rate application.
- 3 - Perform any other services as requested by the school during the review, approval and reimbursement process, including getting Invoice Deadline Extensions and filing BEAR Forms.
- 4 - File appeal for 2015/2016 Form 486s.

This letter of authorization is valid for E-Rate funding years 2015 through 2018.

  
Thank you,

Steve Christopoulos